

BOARD OF SUPERVISORS, COUNTY OF LAKE, STATE OF CALIFORNIA

OFFICIAL MINUTES OF THE BOARD OF SUPERVISORS MEETING HELD JULY 23, 2013

The Honorable Board of Supervisors of Lake County, California, met in regular session this 23rd day of July, 2013, there being present Supervisors Jim Comstock, Denise Rushing, Anthony Farrington, Rob Brown and Jeff Smith, County Administrative Officer Matt Perry, County Counsel Anita Grant and Assistant Clerk of the Board Mireya Turner.

The meeting was called to order at 9:01 a.m. by Chair Smith. Following a moment of silence, Supervisor Rob Brown led the salute to the flag of the United States of America.

1. **ITEM A-1 - 9:00 A.M. - APPROVAL OF CONSENT AGENDA** - On motion of Supervisor Comstock and by vote of the Board (5 ayes), approved Consent Agenda items C-1 through C-13, with the exception of Consent Agenda Item C-7, which was taken up later in the day, and C-11 which was carried over to a future date.

Approved Minutes of the Board of Supervisors meeting held on July 16, 2013.

Approved Budget Transfer B-002 for BU 4011 - Public Health to transfer \$22,041 from Account 1.11 - Permanent Salaries to Account 1.12 - Extra Help Salaries, and authorized the Chair to sign.

Approved Agreement between the County of Lake and Lake County Office of Education - Safe Schools Health Students Program for FY 2013-14 school-based specialty mental health services, maximum amount of \$250,000, and authorized the Chair to sign.

Approved Agreement between County of Lake (AODS) and Hilltop Recovery Services for FY 2013-14 residential treatment services, for a maximum amount of \$30,000, and authorized the Chair to sign.

Approved Agreement between County of Lake and Ford Street Project Residential and Social Model Detoxification Services for FY 2013-14 drug and alcohol treatment services, for a maximum amount of \$30,000, and authorized the Chair to sign.

Approved Agreement between the County of Lake and Milhous Children's Services for FY 2013-14 specialty mental health services, maximum amount of \$120,000, and authorized the Chair to sign.

Consent Agenda Item C-7 - Approve Agreement between the County of Lake and Remi Vista, Inc. for FY 2013-14 specialty mental health services, in the amount of \$20,000 (with a 25% modification clause, total amount not to exceed \$25,000), and authorize the Chair to sign - This item was removed from the Consent Agenda for discussion later in the day.

Approved Agreement between the County of Lake and Clover Valley Guest Home for FY 2013-14 residential support services, in the amount of \$25,000, and authorized the Chair to sign.

Approved Agreement between the County of Lake and Modesto Residential Living Center for FY 2013-14 residential support services, maximum amount of \$35,000, and authorized the Chair to sign.

Adopted Resolution No. 2013-81, approving the Grant Project - Alcohol and Drug Impaired Driver Vertical Prosecution Program, and authorizing the District Attorney to execute the award agreement and any amendments or extensions thereto.

Consent Agenda Item C-11 - Approve Deed Restriction as required by the California Department of Parks and Recreation, for trail amenities purchased for the Mount Konocti Trail, funded in part by the Habitat Conservation Fund, Trails Program, and authorize the Chair to sign - At departmental request, this item was removed from the Consent Agenda and carried over to a future date.

Approved advanced step hiring of extra help Eligibility Worker II Courtney Colcord, due to applicant's extraordinary qualifications (Career salary step range).

Adopted Resolution No. 2013-82, authorizing Grant Project - Lake County Victim-Witness Assistance Program.

2. **ITEM A-2 - Presentation of animals that are available for adoption at the Lake County Animal Care and Control Shelter** - Animal Care and Control Officer Kyle O'Brien presented one canine currently available for adoption.

BACK TO #1 - Consent Agenda Item C-7 - Approve Agreement between the County of Lake and Remi Vista, Inc. for FY 2013-14 specialty mental health services, in the amount of \$20,000 (with a 25% modification clause, total amount not to exceed \$25,000), and authorize the Chair to sign - Behavioral Health Director Kristy Kelly and County Administrative Officer Matt Perry responded to questions from the Board.

County Counsel Anita Grant pointed out new contract language.

There was Board consensus to request the Administrative Office and the Behavioral Health Department present an update of the fiscal status of the Behavioral Health Department at a future meeting.

On motion of Supervisor Rushing and by vote of the Board (5 ayes), approved Agreement between the County of Lake and Remi Vista, Inc. for FY 2013-14 specialty mental health services, in the amount of \$20,000 (with a 25% modification clause, total amount not to exceed \$25,000), and authorized the Chair to sign,

3. **ITEM A-5 - 9:10 A.M. - (a) Presentation of Proclamation of Commendation to California Highway Patrol Officer Adam Garcia for lifesaving efforts; and (b) Presentation of Proclamation of Commendation to Lakeport Police Officer Stephanie Cruz-Green for lifesaving efforts** - (a) Supervisor Brown read the proclamation into the record and presented it to California Highway Patrol Officer Adam Garcia.

(b) Supervisor Farrington read the proclamation into the record and presented it to Lakeport Police Officer Stephanie Cruz-Green.

Many law enforcement officers were present.

4. **ITEM A-6 - 9:15 A.M. - (a) Presentation of 2010 Government Operations Greenhouse Gas Emissions Inventory for the County of Lake; and (b) Consideration of proposed Participation Agreement between the County of Lake and Mendocino County Energy Watch for the preparation of a community-wide Greenhouse Gas Inventory for the County of Lake** - Principal Planner Kevin Ingram, Senior Planner Brian Horn and Jackie Lisi were present.

Ms. Lisi presented the report.

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(a) This portion of the item was informational only. No Board action was taken on this item.

(b) On motion of Supervisor Rushing and by vote of the Board (5 ayes), approved the Participation Agreement between the County of Lake and Mendocino County Energy Watch for the preparation of a community-wide Greenhouse Gas Inventory for the County of Lake, and authorized the Chair to sign.

5. **ITEM A-7 - 9:30 A.M. - (a) Update on Lakeside Heights Subdivision; and (b) Consideration of continued state of local emergency and other actions relating to the public water and sewer systems** - Special Districts Administrator Mark Dellinger and Public Works Director Scott De Leon were present.

(a) Mr. Dellinger and Mr. De Leon presented the update.

Chair Smith asked if anyone was present wishing to speak and the following people spoke: Joan Moss and John Brosnan. No one else was present wishing to speak and the public input portion of this item was closed.

This portion of the item was informational only. No Board action was taken on this item.

(b) There was consensus of the Board to determine the state of local emergency still exists.

This item was continued four weeks, to August 20, 2013, at 9:15 a.m.

6. **ITEM A-8 - Carried over from July 16, 2013 - 9:45 A.M. - PUBLIC HEARING - Consideration of the following Community Development Block Grant (CDBG) Program Reports: (a) Annual Grantee Performance Report for Program Income Activities, including Housing Rehabilitation RLF and Business Expansion and Retention RLF; (b) the Annual Grantee Performance Report for Grant No. 12-CDBG-8395; and (c) the Final Grantee Performance Report for #10-PIW-PF (Middletown Senior Center), a Program Income funded Public Facility Project** - County Administrative Officer Matt Perry presented the staff report.

Chair Smith opened the public hearing. No one was present wishing to speak and the public hearing was closed.

All portions of this item were informational only. No Board action was taken on this item.

7. **ITEM A-9 - Carried over from July 16, 2013 - 10:00 A.M. - Presentation of update on the Blue Water Satellite image analysis of Clear Lake and the watershed** - Water Resources Director Scott De Leon presented the staff report.

Chair Smith asked if anyone was present wishing to speak and the following people spoke: Joan Moss, Jim Steele, Victoria Brandon, Mike Dunlap, Phil Murphy and John Brosnan. No one else was present wishing to speak and the public input portion of this item was closed.

This item was informational only. No Board action was taken on this item.

8. **ITEM A-14 - Carried over from July 16, 2013 - Consideration of request to award bid for construction of Chippewa South CSA Pavement Rehabilitation project (Kelseyville)** - Public Works Director Scott De Leon presented the staff report.

Chair Smith asked if anyone was present wishing to speak and Robert Lange spoke. No one else was present wishing to speak and the public input portion of this item was closed.

On motion of Supervisor Brown and by vote of the Board (5 ayes), awarded Bid 13-07, Chippewa South CSA Pavement Rehabilitation, in the amount of \$633,414.50, to Helmer & Sons, Inc, and authorized the Chair to sign.

9. **ITEM A-12 - Consideration of recommendation to award bid for the delivery of dairy products to the Lake County Jail Facility and Juvenile Hall** - Deputy County Administrative Officer Christopher Shaver presented the staff report.

On motion of Supervisor Comstock and by vote of the Board (5 ayes), rejected all bids, waived the local vendor preference limit, and awarded Bid No. 13-09, for the delivery of dairy products to the Lake County Jail Facility and Juvenile Hall to Clover Dairy, and authorized the Chair to sign.

10. **ITEM A-11 - Consideration of proposed Lease Agreement between the County of Lake and Big Oak Center for office space located at 13300 East Highway 20, Suite O, Clearlake Oaks, to use as a Sheriff Substation, and consideration of other options for relocation of Clearlake Sheriff substation** - Sheriff Francisco Rivero was present.

Deputy County Administrative Officer Alan Flora presented the staff report.

Chair Smith asked if anyone was present wishing to speak and the following people spoke: Jim Steele, John Brosnan, Olga Martin-Steele and Mike Dean. No one else was present wishing to speak and the public input portion of this item was closed.

Supervisor Rushing made the motion to continue this item two weeks for staff to negotiate with the representative of the owner of the Shady Lane property for a lease to own option, and direct staff to begin working with the Sheriff's Office regarding the establishment of a Sheriff substation at 16195 Main Street, Lower Lake. This motion did not pass (2 ayes, Supervisors Smith, Farrington and Brown NO).

On motion of Supervisor Comstock and by vote of the Board (5 ayes), directed staff to work with the Sheriff's Office regarding the establishment of a Sheriff substation at 16195 Main Street, Lower Lake.

Supervisor Rushing made the motion to continue this item two weeks for staff to negotiate with the representative of the owner of the Shady Lane property for a lease to own option, while also directing staff to present to the Board, the final offer from the owner of the Big Oak Center on August 6, 2013. This motion did not pass (2 ayes, Supervisors Smith, Farrington and Brown NO).

A typographical error was noted on the proposed agreement.

On motion of Supervisor Rushing and by vote of the Board (5 ayes), conditionally approved the Lease Agreement between the County of Lake and Big Oak Center for office space located at 13300 East Highway 20, Suite O, Clearlake Oaks, as corrected, to use as a Sheriff Substation, and authorized the Chair to sign.

11. ITEM A-3 - CONSIDERATION OF ITEMS NOT APPEARING ON THE POSTED AGENDA:

Extra Item #1 - Consideration of budget transfer to appropriate funding for tenant improvements and lease of Clearlake Oaks Sheriff Substation - On motion of Supervisor Brown and by vote of the Board (5 ayes), approved taking up this item, determining this item came to the attention of staff after the posting of the agenda and must be considered by the Board before the next meeting.

Sheriff Francisco Rivero was present.

County Administrative Officer Matt Perry presented the staff report.

On motion of Supervisor Brown and by vote of the Board (5 ayes), approved Budget Transfer B-004, transferring \$24,000 in Sheriff Rural & Small Counties Budget, from Intra Divisional Services, to Maintenance - Buildings & Improvements and Rents & Leases - Buildings, for the tenant improvements and lease of the Clearlake Oaks substation.

12. ITEM A-13 - Consideration of budget transfer to BU 1231, County Counsel, to fund contract with a legal firm to represent the County in the matter of Rivero v. Lake County Board of Supervisors - Sheriff Francisco Rivero was present.

County Administrative Officer Matt Perry presented the staff report.

On motion of Supervisor Brown and by vote of the Board (5 ayes), approved Budget Transfer B-003, transferring \$10,000 from Budget Unit 2201 - Sheriff - Professional Services, to Budget Unit 1231 - County Counsel - Professional Services, to contract with a legal firm to represent the County in the matter of Rivero v. Lake County Board of Supervisors.

13. ITEM A-15 - CLOSED SESSION - 1. Conference with Labor Negotiator: (a) County Negotiators: A. Grant, L. Guintivano, S. Harry, M. Perry, A. Flora and C. Shaver; and (b) Employee Organization: DDAA, DSA, LC COA, LCEA and LCSEA 2. Conference with real property negotiator (a) Property located at: 3980 Gard Street, Kelseyville (APN 024-081-01) (b) Negotiating Parties: For County: Supervisor Rob Brown, Child Support Services Director Gail Woodworth, County Administrative Officer Matt Perry and Deputy County Administrative Officer Alan Flora For seller: Kelseyville Unified School District representatives (c) Under Negotiation: Lease terms 3. Conference with Legal Counsel: Existing Litigation pursuant to Government Code Section 54956.9(d)(1): Spano v. County of Lake - - Chair Smith announced the Board would now go into Closed Session for the reasons stated on the Agenda.

The Board reconvened into Regular Session with no action taken at 1:20 p.m.

There being no further business, the Board of Supervisors adjourned at 1:20 p.m.

MATT PERRY
Clerk of the Board

Chair - Lake County Board of Supervisors

By: _____
Mireya G. Turner
Assistant Clerk of the Board